



**CITY OF MARSHALL, TEXAS
SPECIAL-CALLED CITY COMMISSION MEETING
COMMISSION CHAMBERS, CITY HALL, 401 SOUTH ALAMO
WEDNESDAY, APRIL 1, 2020, 12:00 P.M.**

This meeting will be conducted utilizing a video and audio conferencing tool, as well as, a standard conference call. Instructions and direct links to view the meeting or speak during Citizen Comment can be found at www.marshalltexas.net.

1. **CALL TO ORDER AND ROLL CALL**

2. **CITIZEN COMMENTS**

House Bill 2840 requires that a governmental body must allow each member of the public who desires to address the body regarding an item on an agenda the opportunity to do so before or during the body's consideration of the item. The "Citizens Comments" portion of the meeting meets the requirements of this law and is the public's opportunity to speak on any item on the agenda. Those who wish to speak will have three minutes to do so unless additional time has been requested.

3. **ORDINANCE**

A. Consider approval of an Ordinance consenting to the continuation and renewal of the declaration of local disaster proclaimed for the City of Marshall by the Mayor on March 26, 2020, and any matters incidental or related to said declaration. (City Manager)

4. **ADJOURNMENT**

Posted: March 27, 2020
5:00 p.m.
Y. Graham

This meeting will be conducted in accordance with the Americans with Disabilities Act. Requests for sign interpretive services will be available with at least 48-hour notice prior to the meeting. To make arrangements for these services, please call Elaine Altman at 903-935-4519.

ITEM 1

CALL TO ORDER AND ROLL CALL

ITEM 2

CITIZEN COMMENTS

ITEM 3A

ORDINANCE

**APPROVAL OF AN ORDINANCE
CONSENTING TO THE CONTINUATION
AND RENEWAL OF THE DECLARATION
OF LOCAL DISASTER PROCLAIMED
FOR THE CITY OF MARSHALL BY THE
MAYOR ON MARCH 26, 2020, AND ANY
MATTERS INCIDENTAL OR RELATED
TO SAID DECLARATION.**

MEMORANDUM

To: Members of the City Commission

From: City Manager, Mark Rohr

Date: March 27, 2020

Subject: Consider approval of an Ordinance consenting to the continuation and renewal of the declaration of local disaster proclaimed for the City of Marshall by the Mayor on March 26, 2020, and any matters incidental or related to said declaration

On March 26, 2020, the Mayor issued a declaration of local disaster for the City of Marshall resulting from the global pandemic of the coronavirus. Texas Government Code §418.108(b) provides that a declaration of local disaster may not be continued or renewed for a period of more than seven days without the consent of the governing body of the political subdivision.

This agenda item allows for the Commission to consider approval of an Ordinance consenting to the continuation and renewal of the declaration of local disaster proclaimed for the City of Marshall by the Mayor on March 26, 2020.

The ordinance is in the process of being reviewed by the Acting City Attorney and will be provided to the Commission early next week.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MARSHALL, TEXAS, CONSENTING TO THE CONTINUATION AND RENEWAL OF THE DECLARATION OF LOCAL DISASTER PROCLAIMED FOR THE CITY OF MARSHALL BY THE MAYOR ON MARCH 26, 2020; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on March 26, 2020, the Mayor issued a declaration of local disaster for the City of Marshall, Texas, resulting from the global pandemic of the novel coronavirus designated SARS-CoV2 which causes the disease COVID-19; and,

WHEREAS, the March 26, 2020 declaration and the findings made therein are adopted herein by reference; and,

WHEREAS, the conditions necessitating the aforesaid declaration continue to exist; and,

WHEREAS, §418.108(b) of the Texas Government Code provides that a declaration of local disaster may not be continued or renewed for a period of more than seven days without the consent of the governing body of the political subdivision;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARSHALL, TEXAS:

Section 1. That the findings set out in the preamble to this ordinance are hereby in all things approved and adopted.

Section 2. That the City Commission of the City of Marshall hereby consents to the continuation and renewal of the declaration of local disaster proclaimed for the City of Marshall by the Mayor on March 26, 2020.

Section 3. That the consent hereby given shall continue in effect until said consent is terminated by the City Commission or until the declaration of local disaster herein mentioned is terminated by order of the Mayor.

Section 4. That, during the continuation of the declaration of local disaster herein mentioned, the Mayor is authorized, without further action of the City Commission, to exercise any powers, take any actions and issue any orders authorized by law, including but not limited to, any measures authorized by Chapter 418 of the Texas Government Code, including without limitation Section 418.108 and Section 418.1015 of said chapter.

Section 5. That all provisions of the ordinances of the City of Marshall in conflict with the provision of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Marshall not in conflict with the provision of this ordinance shall remain in full force and effect.

Section 6. That should any sentence, paragraph, subdivision clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional and to this end the provisions of this ordinance are severable.

Section 7. That the meeting at which this ordinance was approved was conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 8. That this ordinance and the declaration of local disaster mentioned herein and any continuation of said declaration of local disaster and any orders lawfully issued under any of same shall, collectively, constitute an ordinance adopted pursuant to the emergency management plan adopted by the City of Marshall and an ordinance governing public health and sanitation.

Section 9. That the City Attorney or the City Attorney's designee is hereby authorized, without further action of the City Commission, to undertake, by all legal means appropriate or necessary, the enforcement of this ordinance, of the declaration of local disaster mentioned herein, of any continuation of said declaration of local disaster, and of any orders lawfully issued under any of same; and such means may include, but are not limited to: application to the proper court or courts to issue any and all proper restraining orders, temporary and permanent injunctions; the filing of any other appropriate civil actions in courts of appropriate jurisdiction; and defending the City of Marshall from suit if suit is taken to appeal any action of the City of Marshall.

Section 10. That this ordinance is approved as an emergency measure and pursuant to state and local authority for emergency measures and shall become effective immediately from and after its date of passage.

PASSED and APPROVED this _____ day of April, 2020.

CHAIRMAN OF THE CITY COMMISSION
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

ITEM 4

ADJOURNMENT